

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**LEON STREETER,**

**Plaintiff,**

**v.**

**Civil Action No.  
9:04-CV-0495  
(TJM/RFT)**

**GLENN S. GOORD, *et al.*,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred by this Court to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule N.D.N.Y. 72.3(c). The Report-Recommendation and Order dated September 17, 2007 recommends that Defendants' motion for summary judgment be granted. See Rep.-Rec. & Ord., p. 20 [dkt. # 107]. Plaintiff has filed objections to the recommendation. See Obj. [dkt. # 108].

When objections to a magistrate judge's Report-Recommendation are lodged, the Court reviews the record *de novo*. See 28 U.S.C. § 636(b)(1). After such a review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge]. The [Court] may also receive further evidence or recommit the matter to the magistrate [judge] with instructions." Id.

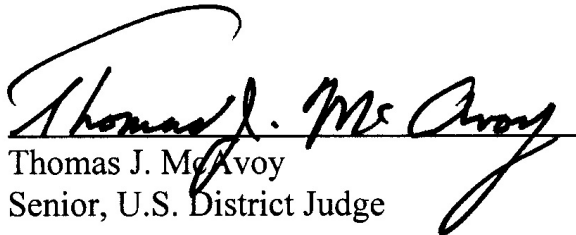
Having reviewed the record *de novo* and having considered the issues raised in the objections, this Court has determined to accept and adopt the recommendation of Magistrate Judge Treece for the reasons stated in the September 17, 2007 Report-Recommendation and Order.

Therefore, it is hereby

**ORDERED** that Defendants' motion for summary judgment [dkt. # 92] is **GRANTED** and the action is **DISMISSED in its entirety**.

**IT IS SO ORDERED.**

DATED: October 19, 2007

  
Thomas J. McAvoy  
Senior, U.S. District Judge